IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL W.P.NO.2579 OF 2005

Shri.Dilip Ramakant Pattewar ..Petitioner

Vs.

Shri.Sharad Uttamchand Lunawat
& Anr. ..Respondents

...

Mr.J.Shekhar i/b J.Shekhar & Co. for Petitioner
Mr.U.V.Nikam A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 25, 2005

P.C.

1. Heard both sides.

2. The petitioner has been convicted under Section 138 of Negotiable Instruments Act and sentenced to S.I. for one month and to pay a fine of Rs.1000/- and to pay Rs.2,10,000/- by way of compensation to the complainant. The petitioner preferred appeal before the Sessions Court and prayed for bail. By order dated 23.8.2005 the learned Sessions Judge suspended the substantive sentence of imprisonment till the decision of the appeal on condition that the appellant-petitioner deposits an amount of

Rs.1,00,000/- out of the compensation amount of Rs.2,10,000/- within two weeks from the date of the said order. The petitioner preferred an application for reducing the amount of Rs.1,00,000/- which was mentioned in the order dated 23.8.2005. The learned Sessions Judge by order dated 28.9.2005 rejected the said application for reducing the amount. Being aggrieved by the said order, this petition has been preferred.

3. Looking to the fact that the petitioner's economic condition is very weak, I am inclined to reduce the amount of Rs.1,00,000/- to Rs.60,000/-. Thus, the amount of Rs. 1,00,000/- is reduced to Rs.60,000/-. The petitioner has already deposited an amount of Rs.25,000/-. In this view of the matter, the petitioner shall deposit additional amount of Rs.35,000/- before the Sessions Court. The petitioner is granted four weeks time to deposit the said additional amount of Rs.35,000/-.

4. Writ Petition is disposed of.

[V.K.TAHILRAMANI,J.]